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COUNSEL FOR DEFENDANTS

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

ROBERT MYERS,  Plaintiff,  v. WILLIAM E. FULBRIGHT, in his official capacity as the County Attorney for Ravalli County; TIMOTHY C. FOX, in his official capacity as Attorney General for the State of Montana,  Defendants.	Cause No. CV 17–59–M–DWM–JCL  <b>DEFENDANTS’ MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION</b>
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Under Fed. R. Civ. P. 12(b)(1) and 12(h)(3), Defendants move to  
dismiss this action for lack of subject matter jurisdiction. Plaintiff

Robert Myers has suffered no injury in fact and has presented claims rooted in speculation and conjecture. Thus, Myers lacks standing, his claims are not ripe, and this Court must dismiss for lack of subject matter jurisdiction.

This motion is supported by Defendants' brief in support of motion to dismiss for lack of subject matter jurisdiction. Pursuant to Local Rule 7.1(c)(1), opposing counsel has been contacted and objects to this motion.

Respectfully submitted this 1st day of June, 2017.

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By: /s/ Matthew T. Cochenour  
MATTHEW T. COCHENOUR  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this date I electronically filed the foregoing document with the clerk of the court for the United States District Court for the District of Montana, using the cm/ecf system.

Participants in the case who are registered cm/ecf users will be served by the cm/ecf system.

Dated: June 1, 2017

/s/ Matthew T. Cochenour

MATTHEW T. COCHENOUR

Assistant Attorney General

Counsel for Defendants